

J I P E

JAN 22 2002

## THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. :  
 Applicant or Patentee :  
 Application or Patent No. :  
 Filed or Issued :  
 Entitled :

41994/RAG/C766  
 Richard C. Flagan et al.  
 09/895,791  
 June 29, 2001  
 AEROSOL PROCESS FOR FABRICATING DISCONTINUOUS  
 FLOATING GATE MICROELECTRONIC DEVICES

CHRISTIE, PARKER & HALE, LLP  
 Post Office Box 7068  
 Pasadena, CA 91109-7068  
 (626) 795-9900

COPY OF PAPERS  
 ORIGINALLY FILED

## POWER OF ATTORNEY BY ASSIGNEE TO EXCLUSION OF INVENTOR

I, Adam Cochran, Esq., am the Intellectual Property Counsel of California Institute of Technology, the assignee of the entire right, title and interest in the application for United States Letters Patent entitled AEROSOL PROCESS FOR FABRICATING DISCONTINUOUS FLOATING GATE MICROELECTRONIC DEVICES and filed June 29, 2001, as Application Serial No. 09/895,791, and am authorized to sign on its behalf.

The Assignment of this application to California Institute of Technology is being submitted for recordation concurrently with this Power of Attorney.

I have reviewed the foregoing document and hereby certify that, to the best of my knowledge and belief, title to the subject matter of this patent is in California Institute of Technology.

I hereby appoint the following attorneys and agents of the law firm CHRISTIE, PARKER & HALE, LLP to prosecute this application and any international application under the Patent Cooperation Treaty based on it and to transact all business in the U.S. Patent and Trademark Office connected with either of them, said appointment to be to the exclusion of the inventors and their attorneys in accordance with Rule 32 of the Patent Office Rules of Practice:

|                        |          |                     |          |                          |          |
|------------------------|----------|---------------------|----------|--------------------------|----------|
| R. W. Johnston         | (17,968) | Daniel R. Kimbell   | (34,849) | Robert A. Green          | (28,301) |
| D. Bruce Prout         | (20,958) | Craig A. Gelfound   | (41,032) | John W. Peck             | (44,284) |
| Hayden A. Carney       | (22,653) | Syed A. Hasan       | (41,057) | Stephen D. Burbach       | (40,285) |
| Richard J. Ward, Jr.   | (24,187) | Kathleen M. Olster  | (42,052) | David B. Sandelands, Jr. | (46,023) |
| Russell R. Palmer, Jr. | (22,994) | Daniel M. Cavanagh  | (41,661) | Nicholas J. Pauley       | (44,999) |
| LeRoy T. Rahn          | (20,356) | Molly A. Holman     | (40,022) | Mark J. Marcelli         | (36,593) |
| Richard D. Seibel      | (22,134) | Joel A. Kauth       | (41,886) | Peter A. Nichols         | (47,822) |
| Walter G. Maxwell      | (25,355) | Patrick Y. Ikehara  | (42,681) | David J. Steele          | (47,317) |
| William P. Christie    | (29,371) | Mark Garscia        | (31,953) | Laurence H. Pretty       | (25,312) |
| David A. Dillard       | (30,831) | Gary J. Nelson      | (44,257) | Robert A. Schroeder      | (25,373) |
| Thomas J. Daly         | (32,213) | Raymond R. Tabandeh | (43,945) | Richard A. Wallen        | (22,671) |

---

**POWER OF ATTORNEY BY ASSIGNEE TO EXCLUSION OF INVENTOR**

---

**Docket No.: 41994/RAG/C766**

---

|                        |          |                     |          |                       |            |
|------------------------|----------|---------------------|----------|-----------------------|------------|
| Vincent G. Gioia       | (19,959) | Cynthia A. Bonner   | (44,548) | Michael J. MacDermott | (29,946)   |
| Edward R. Schwartz     | (31,135) | Jun-Young E. Jeon   | (43,693) | Anne Wang             | (36,046)   |
| John D. Carpenter      | (34,133) | Marc A. Karish      | (44,816) | Richard A. Clegg      | (33,485)   |
| David A. Plumley       | (37,208) | John F. O'Rourke    | (38,985) | Natu J. Patel         | (39,559)   |
| Wesley W. Monroe       | (39,778) | Richard J. Paciulan | (28,248) | Tom H. Dao            | (44,641)   |
| Gregory S. Lampert     | (35,581) | Josephine E. Chang  | (46,083) | James M. Collison     | (P-50,617) |
| Grant T. Langton       | (39,739) | Frank L. Cire       | (42,419) | Gary D. Lueck         | (P-60,791) |
| Constantine Marantidis | (39,759) | Harold E. Wurst     | (22,183) |                       |            |

The authority under this Power of Attorney of each person named above shall automatically terminate and be revoked upon such person ceasing to be a member or associate of or of counsel to that law firm.

DIRECT TELEPHONE CALLS TO:  
SEND CORRESPONDENCE TO:

Robert A. Green Esq., 626-795-9900  
CHRISTIE, PARKER & HALE, LLP  
P.O. Box 7068, Pasadena, CA 91109-7068

California Institute of Technology

Date: DEC 19 2001

By: 

Adam Cochran, Esq.  
Intellectual Property Counsel

RLM PAS403388.1--12/19/01 12:03 PM

Rev. 11/00

JAN 22 2002

DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION

PATENT

Docket No. : 09/895,791/C766

COPY OF PAPERS  
ORIGINALLY FILED

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled AEROSOL PROCESS FOR FABRICATING DISCONTINUOUS FLOATING GATE MICROELECTRONIC DEVICES, the specification of which is attached hereto unless the following is checked:

☒ was filed on JUNE 29, 2001 as United States Application Number or PCT International Application Number 09/895,791 and was amended on \_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of the foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, any foreign application for patent or inventor's certificate, or any PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

| <u>Application Number</u> | <u>Country</u> | <u>Filing Date (day/month/year)</u> | <u>Priority Claimed</u> |
|---------------------------|----------------|-------------------------------------|-------------------------|
|---------------------------|----------------|-------------------------------------|-------------------------|

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

| <u>Application Number</u> | <u>Filing Date</u> |
|---------------------------|--------------------|
| 60/215,390                | 06/29/2000         |
| 60/215,400                | 06/29/2000         |

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112.

| <u>Application Number</u> | <u>Filing Date</u> | <u>Patented/Pending/Abandoned</u> |
|---------------------------|--------------------|-----------------------------------|
|---------------------------|--------------------|-----------------------------------|

**POWER OF ATTORNEY:** I hereby appoint the following attorneys and agents of the law firm CHRISTIE, PARKER & HALE, LLP to prosecute this application and any international application under the Patent Cooperation Treaty based on it and to transact all business in the U.S. Patent and Trademark Office connected with either of them in accordance with instructions from the assignee of the entire interest in this application;

**DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION**

**Docket No. 41994/RAG/C766**

or from the first or sole inventor named below in the event the application is not assigned; or from \_\_ in the event the power granted herein is for an application filed on behalf of a foreign attorney or agent.

|                        |          |                        |          |                          |          |
|------------------------|----------|------------------------|----------|--------------------------|----------|
| R. W. Johnston         | (17,968) | Constantine Marantidis | (39,759) | Frank L. Cire            | (42,419) |
| D. Bruce Prout         | (20,958) | Daniel R. Kimbell      | (34,849) | Harold E. Wurst          | (22,183) |
| Hayden A. Carney       | (22,653) | Craig A. Gelfound      | (41,032) | Robert A. Green          | (28,301) |
| Richard J. Ward, Jr.   | (24,187) | Syed A. Hasan          | (41,057) | John W. Peck             | (44,284) |
| Russell R. Palmer, Jr. | (22,994) | Kathleen M. Olster     | (42,052) | Stephen D. Burbach       | (40,285) |
| LeRoy T. Rahn          | (20,356) | Daniel M. Cavanagh     | (41,661) | David B. Sandelands, Jr. | (46,023) |
| Richard D. Seibel      | (22,134) | Molly A. Holman        | (40,022) | Heidi L. Eisenhut        | (46,812) |
| Walter G. Maxwell      | (25,355) | Joel A. Kauth          | (41,886) | Nicholas J. Pauley       | (44,999) |
| William P. Christie    | (29,371) | Patrick Y. Ikehara     | (42,681) | Mark J. Marcelli         | (36,593) |
| David A. Dillard       | (30,831) | Mark Garscia           | (31,953) | Paul Heynssens           | (47,648) |
| Thomas J. Daly         | (32,213) | Gary J. Nelson         | (44,257) | Peter A. Nichols         | (47,822) |
| Vincent G. Gioia       | (19,959) | Raymond R. Tabandeh    | (43,945) | David J. Steele          | (47,317) |
| Edward R. Schwartz     | (31,135) | Cynthia A. Bonner      | (44,548) | Laurence H. Pretty       | (25,312) |
| John D. Carpenter      | (34,133) | Jun-Young E. Jeon      | (43,693) | Robert A. Schroeder      | (25,373) |
| David A. Plumley       | (37,208) | Marc A. Karish         | (44,816) | Richard A. Wallen        | (22,671) |
| Wesley W. Monroe       | (39,778) | John F. O'Rourke       | (38,985) | Michael J. MacDermott    | (29,946) |
| Gregory S. Lampert     | (35,581) | Richard J. Paciulan    | (28,248) | Anne Wang                | (36,045) |
| Grant T. Langton       | (39,739) | Josephine E. Chang     | (46,083) | Richard A. Clegg         | (33,485) |

The authority under this Power of Attorney of each person named above shall automatically terminate and be revoked upon such person ceasing to be a member or associate of or of counsel to that law firm.

**DIRECT TELEPHONE CALLS TO: Robert A. Green, 626/795-9900**

**SEND CORRESPONDENCE TO:**

**Customer Number: 28368**

**CHRISTIE, PARKER & HALE, LLP**  
P.O. Box 7068  
Pasadena, CA 91109-7068

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

|   |            |         |             |
|---|------------|---------|-------------|
| <b>NAME OF SOLE OR FIRST INVENTOR</b>                         |            |         |             |
| RICHARD C. FLAGAN   |            |         |             |
| Inventor's Signature  |            |         | Date        |
| City  | State      | Country | Citizenship |
| Residence PASADENA  | CALIFORNIA | US      | US          |
| Mailing Address: 5190 SAN PASQUAL, PASADENA, CALIFORNIA 91107 |            |         |             |

**DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION**

**Docket No. 41994/RAG/C766**

|  |            |         |             |
|--|------------|---------|-------------|
| <b>NAME OF SECOND INVENTOR</b>                                       |            |         |             |
| HARRY A. ATWATER   |            |         |             |
| Inventor's Signature   |            |         | Date        |
| City   | State      | Country | Citizenship |
| Residence: SOUTH PASADENA  | CALIFORNIA | US      | US          |
| Mailing Address: 1940 MILAN AVENUE, SOUTH PASADENA, CALIFORNIA 91030 |            |         |             |

|   |            |         |                  |
|---|------------|---------|------------------|
| <b>NAME OF THIRD INVENTOR</b>   |            |         |                  |
| MICHELE L. OSTRAAT  |            |         |                  |
| Inventor's Signature <i>Michele L. Ostraat</i>                            |            |         | Date<br>12-14-01 |
| City  | State      | Country | Citizenship      |
| Residence: WHITEHOUSE STATION   | NEW JERSEY | US      | US               |
| Mailing Address: 56 PLANTATION ROAD, WHITEHOUSE STATION, NEW JERSEY 08889 |            |         |                  |

RJM PAS350176.1 \* 12/12/01 3:05 PM

JAN 22 2002

DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION

PATENT

Docket No. 41994/RAG/766

COPY OF PAPERS  
ORIGINALLY FILED

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled AEROSOL PROCESS FOR FABRICATING DISCONTINUOUS FLOATING GATE MICROELECTRONIC DEVICES, the specification of which is attached hereto unless the following is checked:

☒ was filed on JUNE 29, 2001 as United States Application Number or PCT International Application Number 09/895,791 and was amended on      (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of the foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, any foreign application for patent or inventor's certificate, or any PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)Application Number CountryFiling Date (day/month/year) Priority Claimed

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

| <u>Application Number</u> | <u>Filing Date</u> |
|---------------------------|--------------------|
| 60/215,390                | 06/29/2000         |
| 60/215,400                | 06/29/2000         |

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112.

Application Number Filing DatePatented/Pending/Abandoned

**POWER OF ATTORNEY:** I hereby appoint the following attorneys and agents of the law firm CHRISTIE, PARKER & HALE, LLP to prosecute this application and any international application under the Patent Cooperation Treaty based on it and to transact all business in the U.S. Patent and Trademark Office connected with either of them in accordance with instructions from the assignee of the entire interest in this application;

# DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

Docket No. 41994/RAG/C766

or from the first or sole inventor named below in the event the application is not assigned; or from \_\_ in the event the power granted herein is for an application filed on behalf of a foreign attorney or agent.

|                        |          |                        |          |                          |          |
|------------------------|----------|------------------------|----------|--------------------------|----------|
| R. W. Johnston         | (17,968) | Constantine Marantidis | (39,759) | Frank L. Cire            | (42,419) |
| D. Bruce Prout         | (20,958) | Daniel R. Kimbell      | (34,849) | Harold E. Wurst          | (22,183) |
| Hayden A. Carney       | (22,653) | Craig A. Gelfound      | (41,032) | Robert A. Green          | (28,301) |
| Richard J. Ward, Jr.   | (24,187) | Syed A. Hasan          | (41,057) | John W. Peck             | (44,284) |
| Russell R. Palmer, Jr. | (22,994) | Kathleen M. Olster     | (42,052) | Stephen D. Burbach       | (40,285) |
| LeRoy T. Rahn          | (20,356) | Daniel M. Cavanagh     | (41,661) | David B. Sandelands, Jr. | (46,023) |
| Richard D. Seibel      | (22,134) | Molly A. Holman        | (40,022) | Heidi L. Eisenhut        | (46,812) |
| Walter G. Maxwell      | (25,355) | Joel A. Kauth          | (41,886) | Nicholas J. Pauley       | (44,999) |
| William P. Christie    | (29,371) | Patrick Y. Ikehara     | (42,681) | Mark J. Marcelli         | (36,593) |
| David A. Dillard       | (30,831) | Mark Garscia           | (31,953) | Paul Heynssens           | (47,648) |
| Thomas J. Daly         | (32,213) | Gary J. Nelson         | (44,257) | Peter A. Nichols         | (47,822) |
| Vincent G. Gioia       | (19,959) | Raymond R. Tabandeh    | (43,945) | David J. Steele          | (47,317) |
| Edward R. Schwartz     | (31,135) | Cynthia A. Bonner      | (44,548) | Laurence H. Pretty       | (25,312) |
| John D. Carpenter      | (34,133) | Jun-Young E. Jeon      | (43,693) | Robert A. Schroeder      | (25,373) |
| David A. Plumley       | (37,208) | Marc A. Karish         | (44,816) | Richard A. Wallen        | (22,671) |
| Wesley W. Monroe       | (39,778) | John F. O'Rourke       | (38,985) | Michael J. MacDermott    | (29,946) |
| Gregory S. Lampert     | (35,581) | Richard J. Paciulan    | (28,248) | Anne Wang                | (36,045) |
| Grant T. Langton       | (39,739) | Josephine E. Chang     | (46,083) | Richard A. Clegg         | (33,485) |

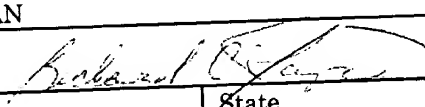
The authority under this Power of Attorney of each person named above shall automatically terminate and be revoked upon such person ceasing to be a member or associate of or of counsel to that law firm.

DIRECT TELEPHONE CALLS TO: Robert A. Green, 626/795-9900

SEND CORRESPONDENCE TO:  
CHRISTIE, PARKER & HALE, LLP  
P.O. Box 7068  
Pasadena, CA 91109-7068

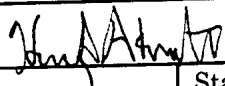
Customer Number: 23363

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

|   |   |               |                   |
|---|---|---------------|-------------------|
| NAME OF SOLE OR FIRST INVENTOR                                |   |               |                   |
| RICHARD C. FLAGAN   |   |               |                   |
| Inventor's Signature  |  |               | Date<br>10/2/90   |
| City<br>Residence: PASADENA                                   | State<br>CALIFORNIA   | Country<br>US | Citizenship<br>US |
| Mailing Address: 3190 SAN PASQUAL, PASADENA, CALIFORNIA 91107 |   |               |                   |

**DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION**

**Docket No. 41994/RAG/C766**

|  |                     |               |                   |
|--|---------------------|---------------|-------------------|
| <b>NAME OF SECOND INVENTOR</b>   |                     |               |                   |
| HARRY A. ATWATER   |                     |               |                   |
| Inventor's Signature  |                     |               | Date<br>12/3/01   |
| City<br>Residence: SOUTH PASADENA  | State<br>CALIFORNIA | Country<br>US | Citizenship<br>US |
| Mailing Address: 1940 MILAN AVENUE, SOUTH PASADENA, CALIFORNIA 91030                                   |                     |               |                   |

|   |                     |               |                   |
|---|---------------------|---------------|-------------------|
| <b>NAME OF THIRD INVENTOR</b>   |                     |               |                   |
| MICHELE L. OSTRAT   |                     |               |                   |
| Inventor's Signature  |                     |               | Date              |
| City<br>Residence: WHITEHOUSE STATION                                     | State<br>NEW JERSEY | Country<br>US | Citizenship<br>US |
| Mailing Address: 56 PLANTATION ROAD, WHITEHOUSE STATION, NEW JERSEY 08889 |                     |               |                   |

RLM PAS360176.2.\*-8/27/01 7:10 PM